



September 16, 2022

The Honorable Frank Pallone, Jr.
Chairman
House Committee on Energy & Commerce
2125 Rayburn House Office Building
Washington, DC 20515

The Honorable Cathy McMorris Rodgers
Ranking Member
House Committee on Energy & Commerce
2125 Rayburn House Office Building
Washington, DC 20515

Chairman Pallone and Ranking Member McMorris Rodgers:

The Public Lands Council (PLC), National Cattlemen's Beef Association (NCBA), American Sheep Industry Association (ASI), American Farm Bureau Federation (AFBF), American Quarter Horse Association (AQHA), Professional Rodeo Cowboys Association (PRCA), and Animal Welfare Council (AWC) strongly oppose H.R. 3355, the Save America's Forgotten Equines (SAFE) Act of 2021.

As organizations representing a wide variety of horse owners and livestock producers, our opposition to the bill is rooted in our commitment to the responsible care and stewardship of America's equines and natural resources. PLC is the only national organization dedicated solely to representing the ranchers who hold roughly 22,000 federal grazing permits and operate on federal lands. NCBA is the U.S. cattle industry's oldest and largest national trade association, representing 44 state affiliate organizations and roughly 26,000 individual producers who provide much of the nation's food supply. ASI is a national federation of 45 state sheep associations that has represented the interests of the 100,000 sheep ranchers who produce America's lamb and wool since 1865. AFBF is the nation's largest general farm organization, representing the interests of agricultural producers in both livestock and crop production in every state as well as Puerto Rico. AQHA is the largest Equine Breed Registry in the world with a primary mission to record and preserve the pedigree of the American Quarter Horse while maintaining the integrity of the breed and welfare of its horses. PRCA is the oldest and largest professional rodeo sanctioning body in the world, with over 600 sanctioned events held annually. AWC is a nationwide council of organizations who are dedicated to the responsible and humane use of animals in agriculture, recreation, entertainment, and sports activities.

Horse processing is effectively prohibited in the United States. The potential for use of domestic processing facilities halted in 2007, after a rider in the Fiscal Year 2006 appropriations bill eliminated all funding for U.S. Department of Agriculture (USDA) inspection of facilities and inspection in transit for slaughter. Proponents of the appropriations provision bypassed the normal legislative process to meet their own ends, and horses have been suffering the unintended consequences ever since. Enactment of H.R. 3355 would not change this reality, but it would create a nightmare for enforcement, requiring transportation and commerce managers to enforce a law based solely on the *belief* that a horse was bound for a specific purpose.

The undersigned organizations oppose this bill because it:

- Is duplicative of existing prohibitions on horse processing.
- Creates an inappropriate limitation on interstate commerce that would set a new precedent for prohibiting the use of an exported product.

- Creates a slippery slope for a potential ban on the domestic processing of other livestock species for human consumption.
- Exacerbates the suffering of horses experiencing pain, neglect, and abandonment at the end of their life due to the limited options available to horse owners.

While horse processing is currently disallowed in the United States, the undersigned organizations wish to reiterate our concern about the basic premise of banning horse processing as an option for managing livestock. The organizations opposed the FY2006 provision due to our concern about harm to horse welfare. Unfortunately, these unintended consequences were confirmed by a 2011 report submitted to Congress by the Government Accountability Office (GAO), which concluded that horse welfare in the U.S. had generally declined since 2007, when the appropriations rider effectively banned the option of domestic horse processing. After the prohibition took effect, the GAO found a documented increase in horse abandonments and investigations into abuse and neglect. Animal rescues are not subject to the same scrutiny and regulation as processing facilities. While turning every unwanted horse over to a sanctuary might seem like a more friendly solution, there is a drastic lack of capacity to accommodate that number of horses, and there is no means to guarantee that these facilities are actually treating animals humanely; they operate off the radar. Abandonment of horses, particularly during economic downturns, creates animal welfare and natural resource concerns that are only compounded when management tools are taken off the table.

In cases where horses have reached the end of life, horse owners need a means of humanely ending life and disposing of remains. Humane methods of euthanasia and safe, cost-effective, accessible disposal of remains are the obligations of every person who owns and works with animals. Legislating those humane options out of existence does not erase the need – it only ensures that more American horses end their lives in pain and neglect, both of which are entirely avoidable.

While the bill seeks to permanently remove options for horse owners, remaining options are also prohibitive. Veterinary euthanasia services are often costly and, in many cases, may be unaffordable in emergency situations. Barbiturates are the most common chemical used by veterinarians and they leave a chemical residue in the remains of the horse. This creates a threat to wildlife, which can be killed by ingesting contaminated tissues, and a challenge for disposal, because many landfills do not allow the burying of chemically contaminated animal remains. If owners are unable to bury, the other options (such as cremation, rendering, or bio digestion) are very expensive and not widely available. Striking the brain with a captive bolt – the method used in processing facilities – is humane and poses far fewer challenges for disposal. In their 2020 Guidelines on Euthanasia, the American Veterinary Medical Association (AVMA) stated,

“[Physical disruption] methods are inexpensive, humane, and painless if performed properly, and leave no drug residues in the animal’s remains. Furthermore, animals presumably experience less fear and anxiety with methods that require little preparatory handling.”

In a USDA inspected facility, the captive bolt process would be subject to federal inspection. All personnel would be properly trained and subject to oversight. In USDA’s Food Safety and Inspection Service (FSIS) Directive 6900.2 Revision 3, the regulations require officials to verify humane handling and slaughter “once per slaughter shift,” randomly varying the time at which checks are performed. Ironically, by prohibiting federal inspection, supporters of the appropriations rider and the SAFE Act have removed the very mechanisms and oversight that ensure safe and humane processing of horses in these facilities.

Given the barriers to processing and the numerous challenges with disposal of remains, an increasing number of animals have ended up in inhumane circumstances at the end of their lives or at the point when an owner is unable to continue providing care. Unfortunately, as drought continues to afflict much of the West and hay prices continue to skyrocket, the number of owners who are unable to feed their horses is likely to rise.

Some unwanted horses are exported for slaughter in Canada and Mexico. The prohibition on domestic processing means that these horses are transported significantly longer distances, without any inspection of their handling in transit, increasing animal stress and welfare concerns. The appropriations ban on inspection of these horses prior to slaughter has impeded USDA’s ability to ensure horse welfare prior to

leaving the country. That said, it is important to note that the claims of a “slaughter pipeline” to these countries are greatly inflated. In reality, export of horses for slaughter to Canada and Mexico has steadily declined in recent years. According to a 2021 report from the Red Meat Section of Agriculture and Agri-Food Canada, the total number of horses exported for slaughter to Canada in 2020 was 6,919, which represents a 34 percent drop from the year before. In 2021, the total fell again to 5,139, representing an additional drop of 26 percent. According to USDA’s Agricultural Marketing Service, the total number of horses exported for slaughter to Mexico in 2020 was 29,716, which represents a 45 percent drop from the year before. In 2021, the total fell again to 17,999, representing an additional drop of 40 percent. The extreme rhetoric used by proponents of this bill to gin up fears about a growing flood of exports to slaughter is unfounded, and promoting this narrative is irresponsible. Furthermore, the limitations the bill seeks to place on interstate and foreign commerce are entirely inappropriate. The United States does not currently – and has no ability to – regulate future use of any exported product once it leaves our borders, with the exception of some military and defense industry products. Creating parity between an animal food product and military weaponry is an extremely ill-advised and irresponsible legislative path.

In addition to causing harm to domesticated horses in private care, the SAFE Act is effectively a backdoor means of targeting the development of any livestock for human consumption. According to 29 CFR § 780.328, horses are considered livestock. Banning the processing of one livestock species opens the door and sets a poor precedent for extremist attacks on other kinds of livestock, like beef, pork, and lamb.

American agriculture depends upon an economically viable and healthy horse industry, as well as a system that offers responsible management options and a humane end of life for unwanted horses. The SAFE Act will further perpetuate an animal welfare crisis and a massive contraction of the U.S. equine industry, which currently contributes \$122 billion annually to the U.S. economy while establishing problematic precedents for commerce and painting a target on American animal agriculture at large.

Decisions about animal welfare should be based on solid scientific facts and sound animal husbandry, not merely on emotion. The humane processing of horses is upheld by the American Association of Equine Practitioners (AAEP) and the AVMA. Without this option, unwanted horses will be subject to a continued life of discomfort, pain, inadequate care or abandonment. The SAFE Act is incompatible with the professional opinions of animal welfare experts and the members of the undersigned organizations, and it is incompatible with the responsibility we have to our nation’s equines. We urge your opposition to H.R. 3355.

Sincerely,

American Farm Bureau Federation
American Quarter Horse Association
American Sheep Industry Association
Animal Welfare Council
National Cattlemen’s Beef Association
Professional Rodeo Cowboys Association
Public Lands Council